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AEG

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

'04 JUN -2 P1:58

UNITED STATES OF AMERICA,

Plaintiff,

SOFSUN E. WEDILSKY  
CLERK

v.

Case No. 04-Cr-040

[T. 18 U.S.C. §§ 2241(c), 2251, 2252  
2423, 2426(a) and 2]  
[Green Bay]

WILLIAM N. MARTIN JR.,  
ADAM J. BROWN,  
KURT D. SANDVIG, and  
JOEL W. KLINE,

Defendants.

**SECOND SUPERSEDING INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about October 25, 2002, in the State and Eastern District of Wisconsin,

**ADAM J. BROWN,  
WILLIAM N. MARTIN, JR., and  
JOEL W. KLINE,**

the defendants herein, crossed a State line with intent to engage in a sexual act with a person who had not attained the age of twelve years and was in the care and custody of defendant William N. Martin, Jr.

All in violation of Title 18, United States Code, Sections 2241(c), and 2.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 25, 2002, in the State and Eastern District of Wisconsin, and elsewhere,

**ADAM J. BROWN,  
WILLIAM N. MARTIN, JR., and  
JOEL W. KLINE,**

the defendants herein, employed, used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. The visual depiction was produced using materials that had been mailed, shipped, or transported across state lines or in foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 6, 2002, in the State and Eastern District of Wisconsin,

**ADAM J. BROWN, and  
WILLIAM N. MARTIN, JR.,**

the defendants herein, crossed a State line with intent to engage in a sexual act with a person who had not attained the age of twelve years and was in the care and custody of defendant William N. Martin, Jr.

All in violation of Title 18, United States Code, Sections 2241(c) and 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT**

On or about September 6, 2002, in the State and Eastern District of Wisconsin, and elsewhere,

**ADAM J. BROWN, and  
WILLIAM N. MARTIN, JR.,**

the defendants herein, employed, used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. The visual depiction was produced using materials that had been mailed, shipped, or transported across state lines or in foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 28, 2003, in the State and Eastern District of Wisconsin, and elsewhere,

**KURT D. SANDVIG,  
WILLIAM N. MARTIN, JR., and  
JOEL W. KLINE,**

the defendants herein, crossed a State line with intent to engage in a sexual act with a person who had not attained the age of 12 years and was in the care and custody of defendant William N. Martin Jr.

All in violation of Title 18, United States Code, Sections 2241(c) and 2.

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

Beginning in or about February 2003 and continuing to at least March 2, 2003, in the State and Eastern District of Wisconsin, and elsewhere,

**KURT D. SANDVIG,  
WILLIAM N. MARTIN, JR., and  
JOEL W. KLINE,**

the defendants herein, conspired to travel in interstate commerce for the purpose of engaging in a sexual act, in violation of chapter 109A, with a person who had not attained the age of eighteen years.

All in violation of Title 18, United States Code, Sections 2423(b), 2426(a) and 2.

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

Between July 2003 and January 2004, in the State and Eastern District of Wisconsin, and elsewhere,

**WILLIAM N. MARTIN, JR.,**

the defendant herein, employed, used, persuaded, induced, and enticed minors to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. Each visual depiction identified by the file names "D1010001.jpg"; "D1010016.jpg"; "D1010023.jpg"; and "D1010026.jpg" was produced using materials that had been mailed, shipped, or transported across state lines or in foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2.

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

Between July 2003 and January 2004, in the State and Eastern District of Wisconsin, and elsewhere,

**WILLIAM N. MARTIN, JR.,**

the defendant herein, employed, used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. Each visual depiction identified by the file names "P8040008.jpg"; "P8040007.jpg"; "P8040005.jpg"; and "P8040004.jpg" was produced using materials that had been mailed, shipped, or transported across state lines or in foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2.



**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES THAT:**

Between July of 2002 and January 2004, in the State and Eastern District of Wisconsin,  
and elsewhere,

**JOEL W. KLINE,**

the defendant herein, employed, used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. Each visual depiction identified by the file names "Im02olym/P1010019.JPG"; "Im02olym/P1010020.JPG"; and "Im02olym/P1010021.JPG" was produced using materials that had been mailed, shipped, or transported across state lines or in foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2.

**COUNT TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 21, 2004, in the State and Eastern District of Wisconsin, and elsewhere,

**WILLIAM N. MARTIN, JR.,**

the defendant, knowingly received a visual depiction of minors engaging in sexually explicit conduct that had been shipped and transported in interstate commerce, by means of a computer, and identified by the file name "RhyssynMe.wmv." This visual depiction shows, and was produced involving the use of minors engaging in, sexually explicit conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

**COUNT ELEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 22, 2004, in the State and Eastern District of Wisconsin, and elsewhere,

**WILLIAM N. MARTIN, JR.,**

the defendant, knowingly received a visual depiction of a minor engaging in sexually explicit conduct that had been shipped and transported in interstate commerce, by means of a computer, and identified by the file name "m12priv\_079.jpg." This visual depiction shows, and was produced involving the use of a minor engaging in, sexually explicit conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

### **FORFEITURE NOTICE**

Upon conviction of either Count Two, Four, Seven, Eight, Ten, or Eleven of the Indictment, the defendants,

**WILLIAM MARTIN JR., and ADAM J. BROWN**

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253, all visual depictions described in Section 2251, 2251A, or 2252 of Title 18, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252, and shall forfeit any property, real or personal, used or intended to be used to commit or promote the commission of such offense, including, but not limited to, the following:

1. One Seagate Baracuda ST380011A hard drive, Serial number 5JV09DEH;
2. One Western Digital WD300BB-32CCB) hard drive, Serial number WMA9U1494390;
3. One Maxtor Diamond Max+9 hard drive, Serial number Y251NSE;
4. One Western Digital WD800JB-00CRA1 hard drive, Serial number WMA8E7975534;
5. One System Pro Generic Mid-Tower CPU, no Serial number;
6. One Nikon CoolPix Digital Camer, model E990, Serial number 30009000;
7. One Olympus Digital Camera, model D-400 Zoom, Serial number 48502039;
8. One JVC Digital Dualcam MiniDV CamCorder, Serial number 10530707;
9. Approximately seven DVD's disks; and
10. Any equipment, instrumentalities, and items used or intended to be used in the production, receiving, distribution, or possession of child pornography.

A TRUE BILL:

  
FOREPERSON

Dated: 6/2/04

  
STEVEN M. BISKUPIC  
United States Attorney